

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21550 of 2013

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Nityanand Tiwary S/O Late Vishwanath Tiwary @ Bhagal Tiwary Resident
Of Village and P.O- Kudra, P.S- Kudra, District- Kaimur At Bhabhua

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Kaimur At Bhabhua.
3. The Competent Authority- Cum- District Land Acquisition Officer, Kaimur,
District- Kaimur At Bhabhu
4. The Circle Officer, Kudra, District- Kaimur At Bhabhua.
5. The Union Of India, Through The Chairman, Ministry Of Railways,
Railway Board, Rail Bhawan, New Del
6. The Executive Engineer Bhimi Evam Sakh Subidhayan-1 Special Rail
Project, Eastern Dedicated Front
7. Premanand Tiwary S/O Late Vishwanath Tiwary @ Bhagal Tiwary Resident
Of Village and P.O- Kudra, P.S- Kudra, District- Kaimur, Bhabhua

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Kumar Manglam, AC to SC-24
For the UOI	:	Mr. A.K. Pandey, Sr.C.G.C. Mr. R.K. Sharma, CGC
For the Resp No. 8	:	Mr. Raj Bansh Debey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

7 20-01-2026 No one appears on behalf of the petitioner though the

learned counsel for the State, Union of India as also respondent

no. 8 are present.

2. The present petition has been preferred for the
following relief(s):

*“for issuance of an appropriate writ,
order or direction to the respondent authorities,
especially respondent no. 3 for payment adequate*



compensation for the land of the petitioner acquired for the purpose of Special Rail Project Corridor of the Indian Railways measuring 060 decimals of Khata No. 157, Plot No. 17, Thana No. 659 situated in Mauza Sikari, Anchal Kudra, District Kaimur, as has been allowed to his elder brother Premanand Tiwary, who has 50% share in the said land.”

3. On 05.10.2023, when the matter was taken up before the Coordinate Bench, again, there was no appearance.

4. Learned State counsel has taken this Court to the counter-affidavit of the District Land Acquisition Officer, Kaimur with specific reference to paragraph-12 to show that major portion of the share went to the respondent no. 8 while lesser one to the writ petitioner, both are brothers and have received their respective compensation and if still aggrieved, have to move under 76 of ‘the RFCTLARR Act’.

5. There is no rebuttal to the said counter-affidavit.

6. Be that as it may since there is no appearance on behalf of the petitioner and on the last occasion also, there was no appearance. It seems that the petitioner has lost interest in the case.



7. Accordingly, the writ petition stands dismissed for non-prosecution.

8. Interlocutory Application(s), if any, also stands disposed of.

(Rajiv Roy, J)

Adnan/-

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